

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5164
OFFERED BY MR. TAUZIN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Transportation Recall
3 Enhancement, Accountability, and Documentation
4 (TREAD) Act”.

5 SEC. 2. REPORTING OF DEFECTS IN MOTOR VEHICLES IN
6 FOREIGN COUNTRIES.

7 Section 30118 of title 49, United States Code, is
8 amended by adding at the end the following:

9 “(f) REPORTING OF DEFECTS IN MOTOR VEHICLES
10 AND PRODUCTS IN FOREIGN COUNTRIES.—

11 “(1) REPORTING OF DEFECTS.—

12 “(A) MANUFACTURER DETERMINATION.—

13 Not later than 5 days after determining to con-
14 duct a safety recall or other safety campaign in
15 a foreign country on a motor vehicle or motor
16 vehicle equipment that is also offered for sale in
17 the United States, the manufacturer shall re-
18 port the determination to the Secretary.

1 “(B) FOREIGN GOVERNMENT DETERMINA-
2 TION.—Not later than 5 days after receiving
3 notification that the government of a foreign
4 country has determined that a safety recall or
5 other safety campaign must be conducted in the
6 foreign country on a motor vehicle or motor ve-
7 hicle equipment that is also offered for sale in
8 the United States, the manufacturer shall re-
9 port the determination to the Secretary.

10 “(C) REPORTING REQUIREMENTS.—The
11 Secretary shall prescribe the contents of the no-
12 tification required by this paragraph.

13 “(2) REPORTING OF POSSIBLE DEFECTS.—
14 Upon making a determination that there have been
15 a significant number of serious injuries or fatalities
16 in a foreign country caused by a defect in a motor
17 vehicle or motor vehicle equipment that is also of-
18 fered for sale in the United States that could be re-
19 lated to motor vehicle safety (as determined in ac-
20 cordance with regulations promulgated by the Sec-
21 retary), the manufacturer of the United States
22 motor vehicle or motor vehicle equipment shall re-
23 port the determination to the Secretary in such
24 manner as the Secretary establishes by regulation.”.

1 **SEC. 3. TIRE MANUFACTURER REPORTING.**

2 The Secretary of Transportation shall promulgate a
3 rule requiring manufacturers of tires to report periodically
4 to the Secretary data on claims submitted to the manufac-
5 turer for personal injury (including death) and property
6 damage from alleged defects in the manufacturer's tires.
7 The rule shall prescribe the rate at which such reports
8 shall be made.

9 **SEC. 4. REMEDIES WITHOUT CHARGE.**

10 Section 30120(g)(1) of title 49, United States Code,
11 is amended by striking "3 calendar years" and inserting
12 "5 calendar years".

13 **SEC. 5. CIVIL PENALTIES.**

14 Section 30165 of title 49, United States Code, is
15 amended—

16 (1) in the first sentence by—

17 (A) inserting "(1)" after "PENALTY.—";

18 (B) inserting "or" after "30127,"

19 (C) striking "or 30166"; and

20 (D) striking "\$1,000" and inserting
21 "\$5,000";

22 (2) in the third sentence, by striking "sub-
23 section" and inserting "paragraph" and by striking
24 "\$800,000" and inserting "\$4,000,000"; and

25 (3) by adding at the end the following:

1 “(2) A person who violates section 30166 or a regula-
2 tion prescribed under that section is liable to the United
3 States for a civil penalty for failing or refusing to allow
4 or perform an act required under that section or regula-
5 tion. The maximum penalty under this paragraph is
6 \$5,000 per violation per day. The maximum penalty under
7 this paragraph for a related series of daily violations is
8 \$500,000.”.

9 **SEC. 6. ENDURANCE AND RESISTANCE STANDARDS FOR**
10 **TIRES.**

11 The Secretary of Transportation shall conduct a rule-
12 making to revise and update the tire standard published
13 at 49 C.F.R. 571.109 and 49 C.F.R. 571.119

14 **SEC. 7. APPROPRIATION FOR OFFICE OF DEFECTS AND IN-**
15 **VESTIGATION.**

16 In addition to any sums authorized to be appro-
17 priated by sections 30104 or 32102 of title 49, United
18 States Code, there is authorized to be appropriated to the
19 Office of Defects and Investigation of the National High-
20 way Traffic Safety Administration \$500,000 for fiscal
21 year 2001.